CAMPAIGN GIFTS NOT CRIME?

PROPERTY OF SPERSE SEFERM RE WILL PREE PERREYS.

..... How Pountage Wills, 4r fo mariet, #fintel that the facts of frimings intent tractions the face of the Proposition Speed to He Taken in any freent.

con that the Appellate Division oreins Court will hand down a are in the case of Genree W. is also reported that the deciarrived that of the court below could Mr. Parking's contention not commit grand larceny ented the return of \$18,000 view-remaident of the New actrines Company, hart conthe campaign fund of the to the Presidential cum-

she is corpus sworn out by Me. in his arrest. Justice Greenthat such campaign contribu-Begat and came within the ning larceny. He ordered that should be remanded to custody artism of the Grand Jury, and tment should be found by that to stand trial.

was taken to the Appellate Di-Mr Perkins's lawyers Lewis L. and William N. Cohen immediately Crounhaum made his decla and the argument was heard on May The court has taken somewhat less than time in reaching its decision in

the higher court overrule Justice mbaum and order Mr. Perkins dismand from custody it will uphold Mr. lar me's earlier contention that while such contributions were undoubtedly wrong. the fundamental principle of the law was the intent, and that criminal intent to commit larceny on the part of those who made these contributions as officers of the company could not be proved. This was Mr. Jerome's contention in the brief he submitted to Judge O'Sullivan when the latter had before him the question propounded by the Grand Jury. Judge O'Sullivan, it will be remembered, took the opposite view.

As a result of Judge O'Sullivan's decision Mr. Jerome at once got out a warrant for Mr. Perkins, in order to make a test In the subsequent proceedings, both before the Supreme Court and the Appellate Division, Mr. Jerome for purposes of the argument maintained that the character of the act showed criminal intent. In his argument before the Appellate Division Mr. Cohen contended that nowhere had even the approach to criminal intent beet shown, that the act had been done openly, and that furthermore there was a color of title which the courts had held precluded

ne idea of larceny. Mr. Perkins is at present paroled in the the idea of larceny. custody of his counsel, Lewis L. Delafield. After Justice Greenbaum dismissed the writ of habeas corpus his lawyers obtained from the same Judge a stay of all criminal whole purpose of the proceedings has been to get a final adjudication of the matter of such campaign contributions by the Cour of Appeals the decision of the Appellate Division will be appealed from by whichever side that loses. In the meantime if it is in favor of Mr. Perkins he will be released

Some of the lawyers were of the opinion yesterday that an appeal could be expedited and the arguments heard before the Court of Appeals within two weeks, in which case there might be a decision by the highest court before the summer adjournment.

The decision of the Appellate Division, which it is expected will be handed down to-day, has been awaited by lawyers with great interest because of its important bearing upon all the insurance cases. It was the expectation when the proceedings were begun that the real fight would be before the Court of Appeals, but the feeling of some of the lawvers interested has been that the Appellate Division would agree with Justice Greenbaum. They have not teen expecting a decision for Mr. Perkins.

AMERICAN KILLED NEAR PARIS. Puser for Strawbridge & Clothler of Phila-

Paris. May 24. - William M. Graff, who is discribed as a wealthy merchant of Philadelphia, was killed to-day in an automobile accident between Rambouillet and Ver-Fulles. His wife and another person were seriously injured.

The Graffs were staying at the Hotel Athenee in Paris, where Mrs. Graff and the body of her husband were taken after the

PHILADELPHIA, May 24. - William M. Graff was the buyer of dress goods for Strawbridge & Clothier of this city. Two weeks ago he and his wife sailed for France expecting to be gone about six weeks. The trip was a business one, but Mr. and Mrs. Graff hoped to gain some recreation and to Visit several friends.

For seven years Mr. Graff had been connected with Strawbridge & Clothier, before which time he was allied with Sharpess Bros. He was about 43 years old. He is survived by three young children, who are at present at the family residence in Germantown. Mrs. Graff was his second wife.

The news of the accident was communicated to members of the firm of Strawbridge & Clothier late to-night.

VICTIMS OF RUNAWAY GATE.

Horse Plunged Into It on Williamsh

Bridge Boy's Skull Fractured. While crossing the Williamsburg Bridge early last evening a horse driven by Manuel Merchman of 224 East Fourth street, New York, took fright near the anchorage at the lliamsburg side and bolted. Merchman managed to avoid colliding with the other bridge the man in charge closed the run-ay gate and the horse plunged into it h sufficient force to upset the wagon. derchman and David Zweigling, 7 years of 198 East Fourth street, who was old, of 198 East Fourth street, who was riding with him, were pitched into the roadway. Merchman escaped with a few bruises, but the boy's skull was fractured. He was taken to the Williamsburg Hospital. The doctors said that his injuries would prove fatal.

JEROME INGLIEV.

fine Sorage begenten anet setrett fof getter's Menther feeting to the

Mar vinterlatein, & cortary, who schnowledges some of the application to the petition best semimuted descense for District Atorney, was account quaterday aftermone on a warrant income by Magistrata Wales inkelstein's arrest grows out of the in-ortigation made by the District Attorney's office into charges made by the Indehat there were many forged signatures

the ferome petition-Flore are three charges against Finket He may be acknowledged the signatures of Morris Hantt, a Grand street aumoney who says he didn't agen the cetition. that another Morris Hanft lived at his artifrens, 445 Grand street, last year. The District Attorney's office has been unable. find the other. The other charges against Finkelstein are to the effect that adknowledged the signatures of two men who admit that they signed the petition, but who say thay didn't awar to it

Max Rothberg, a brother of Stitch McCarthy, will be arrested to-day. It is charged that he signed the name of his brother-in-law, Max Kosman, to the petition. Kosman says he authorized Rothberg to sign his name because his own hand had been burned.

Finkelstein was held in \$000 bail-\$300 n each case. He will be tried in the Court

Special Sessions. Out of almost 500 signatures which the Hearst investigators reported as fraudulent these two cases, such as they are, are the only residue

SUFFRAGIST HOLDS THE FORT. Mrs. Monteflore Addresses Delegation of Associates From Her Harricaded Home.

Special Cable Despatch to THE SUN.
LONDON, May 24. Mrs. Monteflore, a prominent advocate of woman suffrage, who was a pioneer in the cause in New South Wales, is barricaded in her home at Hammersmith against the tax collector and sheriff's officers because she refuses to pay her income tas. She holds that taxation without representation is tyranny. When a postman arrived at her house this morning, a window was opened and Mrs. Montefiore instructed him to throw her letters over the wall. He did so and a maidservant, cautiously unbarring the door, retrieved them. Next a woman appeared with a pot of marmalade for the garrison.

About 11:30 o'clock arrived a hundred suffragettes," headed by Annie Kennedy. who led the attack on the Premier's official residence the other day and was ejected from the ladies' gallery of the House of Commons on April 25. Annie is a Lancashire factory girl and the organizer of the present movement. The delegation

bore banners with inscriptions. Mrs. Monteflore, standing at an open window, addressed the demonstrants, eloquently denouncing the Premier and the members of his Cabinet who were opposed to giving women votes. She named "the ssin Asquith, whose windows I would break were I free," and also James Bryce, the Earl of Crewe, Lord President of the Council, and John Sinclair, Secretary for Scotland, who is the Earl of Aberdeen's nephew, Mrs. Monteflore, amid much applause, promised to hold out till Saturday, when a larger demonstration is promised.

ACTRESS'S LETTERS TO A KING. Three Hundred Which Mrs. Jordan Wrote to William IV. to Be Sold in London.

Special Cable Despatch to THE SUN. LONDON, May 24.- A view was given at Sotheby's to-day of three hundred letters written a century ago by Mrs. Jordan, the actress, to the Duke of Clarence, afterward William IV. of England. They are on quarto notepaper in & e original folded envelopes.

They were found by Queen Adelaide wife of William IV., when she took possession of, Bushey House, where he had resided as Duke of Clarence, and which had been given to her by Lord Frederick Fitzclarence. The letters will be sold on Saturday next as "the property of a lady."

The Duke of Clarence lived with Mrs. Jordan, whom he met in 1791, for many years, when he was supposed to be doing duty as Admiral of the Fleet. He had by her five sons and five daughters, who became known as Fitzclarence, and were raised to titular dignities, their descendants being members of the English aristocracy to-day.

OUR PART IN DOMINICAN REVOLT Customs Houses to Be Protected-Gunboat Sent to Macoris.

WASHINGTON, May 24.—The gunboat Paducah has departed from Sanchez, Santo Domingo, for Macoris, where yesterday Dominican revolutionists attacked the Government fort and then withdrew after releasing a number of prisoners. No advices have been received here as to more fighting.

The extent of the operations of the American naval forces in Santo Domingo in the event of a revolution in that country will be to protect American interests, lives and property. On the face of this policy it would seem that the United States could do but Attle toward intervening in a Dominican revolution, but the customs houses of Santo Domingo, for the possession of which revolutions are always fought, are in charge of American agents, and the lives of these Americans must not be endangered in any way-consequently, there must be no

seizures of customs houses. Christopher H. Pavne, the American Consul at St. Thomas, to-day telegraphed Secretary Root that he had been unable to get any trace of Dominican revolutionists in St. Thomas. The State Department has had reports that St. Thomas was being made the base of operations by Dominican revolutionary leaders.

ROCKEFELLER'S ACTO STOPPED. He Was Not in It-He Tells the Driver by Telephone to Pay the Fine.

TARRYTOWN, N. Y., May 24.—The Tarry town police this afternoon arrested the chauffeur of John D. Rockefeller and took chauffeur of John D. Rockefeller and took him to court. Three women were in the car, all guests of Mr. and Mrs. Rockefeller. They were out enjoying a ride. The police say the car dashed up Broadway and made a quarter of a mile in 20 seconds. The chauffeur was taken into court and the three women waited outside. The chauffeur was fined \$10. He called up Mr. Rockefeller of Pocantico Lills on the telephone, and the latter told him to pay the line. The chauffeur did not have the money, but one of the women paid it for him.

They did not give their names, but neither

one of the women poid it for him.

Tley did not give their names, but neither Mrs. Rookefeller, Sr., nor Mrs. Rookefeller, Jr., was in the party. The police also arrested Earry C. Grant, who lives here. Grant had his wife and family with him and he was driving the car himself. Le was brought into court and fined \$10. Fe took it as a joke and willingly paid the fine.

SICK COLUMBIA BOY ESCAPES

VORT II BRIDE IS E BALLYBAY PROS PRET. PURSENT VINISHES.

see in Harrier Hall Thus Looked Like anarter Forer Piles by Sight and Fores t p as trormen Honeffes ar Etteria, effeter Pratocuts, Man Hotu for the Ecdefon.

Frightened at the prospect of being sont to North Brother Island as a scarlet fever patient, Kane Et Lioyd, a Columbia Unierally student, disappeared from his room Hartley Hall, one of the university dorms ies, last Friday evening and the Board Health and the university authorities a not heard directly from him since. Ifo was helped away by some of his college mates, members of the Alpha Tau Omega fraternity, and he took a stateroom on a sleeping car on the New York Central to home in Efyria, Ohio. His chums say they have heard from his home that he has

nothing more than German measter On Thursday, May 17, Lloyd complained feeling ill. A rash had appeared on his W. H. Van Zandt of 164 West Ninetysecond street to attend him. Dr. Van Zandt diagnosed the rash as probably due to stomach trouble. Supt. McOscar Hartley Hall learned of Lloyd's illness through the telephone conversation and sent for the Columbia University physician, Dr. D. S. D. Jessup of 301 West 108th street. Dr. Jessup saw Lloyd on Friday afternoon, May 18, at about 5 o'clook. He was puszled by the rash, and fearing that when the case developed it might prove to be scarlet fever he decided to notify the Board of

At 6 o'clock the same evening Dr. Blauvelt, head of the division of contagious diseases, sent one of the five special diag nosticians of the board to see Lloyd. The Board of Health man said that the case was probably scarlet fever and told young Lloyd that he would probably have to go to North Brother Island. The young man was instructed to remain in his room and was told that on the following morning the inspector would return with another and make a final decision.

About 10 o'clock that night Dr. Jessup called on the telephone to warn Lloyd to remain in his room and to have the other students keep away from him. Mr. Oscar went to Lloyd's room on the third floor to tell him and found the room vacant. Lloyd's roommate, F. G. Fabian, had gone Cornell University, of which he is a graduate, for the spring day exercises No one in Hartley Hall had seen Lloyd since 6 o'clock in the evening, just after the Board Health inspector had left him.

It has since been learned that Lloyd waited until Hartley Hall was practically empty, because most of the men had gone out to dinner, and then stole out and went to the rooms of his fraternity, Alpha Tau Omega, and laid his predicament before several of the boys. He said he didn't want to go to North Brother Island and if he was going to be sick he wanted to have home care. Inasmuch as his case had not been declared finally to be scarlet fever it was thought that it would be a clever thing to beat the Board

Accordingly, several of his mates accompanied Lloyd to the Grand Central Station, where they got a stateroom for him in a sleeper, with the prudent notion of protecting other passengers as much as pos-

As soon as his flight became known, the Board of Heath was notified and on Saturday it sent up disinfectors to Hartley Hall and fumigated Lloyd's room thoroughly. The room was kept sealed for four days and Lloyd's roommate, Fabian, did not have access to it until yesterday.

Dr. Blauvelt said yesterday that posltively no danger could come to the inmates of Hartley Hall. He had not followed up the case, because he thought it would develop itself. Lloyd violated the sanitary code relating to the spread of contagious diseases when he fled. There was little kelihood of a prosecution, but when Lloyd returned to the university in the fall the grave character of his offence would probably be impressed on him.

Lloyd is a graduate of Oberlin University and came to Columbia last fall to study mining engineering. He was something of an athlete in Oberlin, having been a member of the football team. His chum, who does not belong to Alpha Tau Omega, said yesterday that Lloyd had practically recovered already.

FUSION PLANS ALL AWRY. Old Line Pennsylvania Prohibitionists Kiel and So Does Guffey.

HARRISBURG, Pa., May 24,-William H. Berry, the Chester reformer, who was elected State Treasurer last fall on a combination ticket of Democrats, Independents, Republicans and Prohibitionists, was today nominated for Governor by the Prohibition State convention.

Homer L. Castle of Pittsburg was nominated for Lieutenant-Governor and is the only Prohibitionist on the ticket. The other nominations were: "Farmer" Creasy, Democrat of Columbia, for Auditor-General, and Elisha A. Goray, Independent Republican of Wilkesbarre, for Secretary of Internal Affairs.

This ticket is designed to pave the way for a fusion deal against the regular Re-publican ticket. It is stated to-night that Col. Guffey, the Democratic State leader, will not consent to the nomination of Berry by the Democrats, and that he will ask Berry to decline the Prohibition nomina-tion, so that the two parties can unite on the nominee of the Democratic State con-vention, which will meet June 27.

Mr. Berry to-night intimates his willingness to go along on such a programme by announcing that he would accept the Prohibition nomination only on condition that he be nominated by all the organizations that supported him last fall. Old To-day's convention was stormy. line Prohibitionists protested against a mixed ticket, and H. T. Ames of Williams-port, chairman of the convention, announced that he would lead a bolt.

President Continuing His Conferences With Senators.

Wasuington, May 24.—Senator Allison of Iowa, chairman of the Senate Committee on Appropriations, called on the President to-day. After coming from the White flouse Mr. Allison had nothing to say about his interview with the President, but it is presumed that Mr. Rosevelt is-continuing his conferences with Senators as to the legislative programme for the remainder of the present session.

GENERAL CHANGE OF TIME ON PENNSYLVANIA RAILROAD

IMPROVED SERVICE TO ST. LOUIS. Seginning May 27, via Pennsylvenia Raliroad Louis Limited will leave New York 138 P. M. Frive St. Louis 460-P. M. Through sleeping to St. Louis and Cincinnation Pennsylvania Lin caving New York 1958 A. M.—Acv.

MAYOR SALLS BY JENE ST. To He finne Entil September & Présiden Hetenwan Will Have the Ase.

Mayor Mecletter has definitely decided to spend his vacation in Europe. He will and on the American liner New York on June : \$ and has engaged fotuen veyage on the St. Payl of the same line, which leaves Southampton on September J. Col. McCletfor orld voctorday that he fall like taking a sea voyage and wandering around for a week or two on the Continent.

"I have been through three campaigns its loop then three yours," he said yesterday, "and since I became Mayor there have come up at many matters of great imporfance as to keep me almost constantly tied down to my desk, and I cannot see that any one can grumble if I take three or four weeks extra vacation."

President McGowan of the Board of Aldermen will be the acting Mayor in the abdays he will have the power of removing and appointing heads of departments. Under the Charter, however, the Mayor when he returns can revoke these acts with one exception. The law provides that a Police Commissioner once removed is not eligible for reappointment.

"I guess Gen. Bingham better begin to walk the straight line at once," McClellan said jokingly yesterday, "and if Mr. McClowan asks for any transfers the General, if he is wise, will begin to grant them without question."

HIT PRESIDENT'S COACHMAN. Theatrical Manager Fined for Assaulting

WASHINGTON, May 24 .- Clarence T. Boykin, manager of the Odette Tyler company, playing this week at Belasco's Theatre was fined \$10 in police court this morning for assaulting Charles Reeder, the President's negro coachman.

Reeder drove Mrs. Roosevelt to the theatre last night and returned for her about twenty minutes before the close of the performance. Mrs. Roosevelt was to leave the theatre by a side door and Reeder drove down an alley alongside the stage entrance to wait for her. The clatter of the horses' hoofs on the stone pavement made a loud noise, which disturbed the performance, as the windows and exits were all open, and Boykin rushed out to quiet the disorder. He ordered the coachman to desist and the latter is said to have replied with an epithet, which Boykin resented with a blow upon the negro's head.

A mixup followed and a large crowd was attracted. Two policemen appeared and arrested the fighters. Reeder explained who he was and was allowed to remain on his box. Boykin was taken to a police station, where he deposited collateral for appearan ce in court this morning. He paid a fine of \$10 for disorderly conduct.

STRIKE AFFECTS WEDDING Decorators Have Walt St, Leo's and Cere-

mony Will Be at St. Anne's. The decorators' strike has nut a stop to the work of decorating St. Leo's Roman Catholic Church, in East Thirtieth street. In consequence, Father Ducey's silver jubilee celebration next Sunday will be uphe wedding of Miss Florence Kelley to A. V. Reyburn! Jr., of St. Louis, on June 4, will have to take place elsewhere It was the parishioners' idea to show their good will for the priest by making the church new and splendid for his twenty-fifth anniversary there. The work was. almost done last week when the strike came. The place now is a maze of scaffolding, through which partly done gold leaf work is visible here and there. In place of the altar there is a tangle of boards and plaster. As Father Ducey said yesterday, it is going to look very magnificent, but it does not just

When the strike order reached the dozen men working at the church a week ago they were as much disturbed as anybody. They had taken an interest in the job, and some of them were Catholics. But nothing could be done, and Father Ducey has resigned himself to holding the jubilee service

down in the basement. The Reyburn-Kelley wedding is to take place in St. Anne's church in East Twelfth street, east of Fourth avenue, and there Father Ducey will wed them on June 4 at

COP SUES FOR BRIBE MONEY Held It as Evidence and Tried to Hang On to It, but Loses.

A queer suit brought by Nicholas Brinlev. a policeman, to recover from the property clerk at Headquarters \$1,760 which he nandled as money given him by Edward C Mills, a lawyer, to bribe former Assistant District Attorney Garvan to have dismissed the five indictments against Mills's uncle the notorious Dr. Flower, was thrown out of court yesterday by City Court Justice O'Dwyer.

Brinley maintained that he should get the money because Mills handed it to him and because he informed Jerome of Mills's plan to bribe Garvan. Mills actually handed over the cash and was then arrested. He is now doing time in Sing Sing.

Mills asserted title to the money after his arrest and assigned his right in it to Lawyer Schmidt of Dos Passos Bros Justice O'Dwver declared that Brinley who did not sue in his own name but through one Dickenson, his assignee, had never acquired any right to the money, which was rightly Mills's and by assignment should go to Schmidt. Under the decision the Headquarters property clerk will turn the money over to Schmidt.

TUMBLED DOWN A MANHOLE Inspector Nearly Swept Away by Rushing Torrent in a Bronx Sewer.

While peering into a manhole at St. John's avenue and Kelly street in The Bronx yesterday afternoon, William D. Lenahan of 796 East 217th street, an inspector in the Sewer Department, trusted too much in a rotten plank and tumbled in. Lenahan fell about fifteen feet and landed, waist deep, in a rushing torrent. He was swept off his feet, but managed to cling to a staple driven into the masoury.

Policeman Zolbel of the Morrisania avenue station house arrived with a rope just in time to save Lenahan from a trip sea-ward. Dr. Viegler of Lebanon Hospital patched up a broken rib and some cuts.

CZAR WON'T GRANT AMNESTY.

FERRORIST CHEMPS GIVEN AS EX-FERE IN HEPEY TO BE MA.

interest andrage, including that of Romen, the Onto Point Victory Intimatten of Metacation of Paterma Honogras Clanger of Catillet Court.

Angelof Contr. Desputation to Tax 500. Sr. Persuances, May 24 - The Government has insued through the official telegraph agency a programme, which will be stimitted to the Dome. It governs that full political amnosty cannot be granted, the Government not finding a sympathetic response to the demands in all sections of

It dwells upon the continuance of terrorist crimes as the principal reason for refusing general amnesty and the abrogation of exceptional laws, but it infirmates the possibility of partially abrogating martial law and other extreme measures, and the pardon of those arrested by administrative order, while it remarks that many of the latter have already received partial liberty.

It says it cannot accept the Duna's solution of the agrarian problem. Only on a single point of the Duma's address does the Ministry yield, namely, universal suffrage, including that of women. This decision seems based on the belief that universal suffrage would have produced a Duma with much less advanced views.

London, May 25.—The St. Petersburg correspondent of the Times, referring to the Government's attitude toward the Duma's address, says that with this negalive pronouncement the Goremykin Ministry presumably hopes to put a stop to the positive constructive work designed by the Duma, which is demanded by the whole

Events will doubtless soon show whose efforts will prevail. One thing, however, is certain. Nothing short of actual violence can prevent the Duma from accomolishing its task, and there is no serious reason whatever for expecting such a step on the part of the Government.

The St. Petersburg correspondent of the Telegraph records the belief there that the Cabinet is about to resign, and that it will be replaced by a coalition Ministry composed of moderate members of the parliamentary majority and less radical eaders, such as M. Shipoff, with a few offi-

The correspondent says he does not share in the belief. He is still convinced that the Duma will in all probability be dissolved without having a coomplished any legislative work and that new elections will be held on a narrower basis. If, meanwhile, there is a change in the Cabinet it is more likely that Prime Minister Goremykin will be succeeded by Gen. Trepost as mili-tary dictator than that a coalition ministry will be formed.

The Tribune's St. Petersburg correspondent asserts that recruiting in connection with the military conspiracy against the Duma, which he alone of all the correspondents seems to have discovered, continues. About sixty officers at the Army speeches threatening to forcibly remove all the deputies. Similar meetings, according to the correspondent, were held else where.

WIFE NO. 2 SUES WIFE NO. 1. Asks 850,000 Damages for Winning Back Her Husband's Affections.

PHILADELPHIA, May 24.-Wife No. 2 of Cyrus D. Green, a wealthy business man, sued Green's wife No. 1 to-day for \$50,000, because wife No. 1 had won back the husand's affection. The present Mrs. Green, through her attorney, secured a capias for the arrest of Elizabeth B. Green, the wife No. 1. Bail was fixed at \$1,200.

Mrs. Green No. 2 in asking for damages explains that she married Cyrus D. Green on March 21, 1901. He was a devoted husband and furnished her with a comfortable home in West Philadelphia, where they lived happily until the affections of the husband returned to wife No. 1. He was earning a salary of \$7,000 a year, which enabled him to live well.

Prior to her marriage with Green, the plaintiff explains that her husband had procured a divorce from the defendant, lizabeth B. Green. She says wife No. 1 wrote letters to Mr. Green and in other ways drew his affections entirely away from her, and as the result of this wife No. 1 has been robbed of her home and husband and damaged \$50,000 worth.

SHE LAY DAZED IN BROADWAY. Automobile Picks Young Woman Up-She Says She Has Been Robbed.

A fashionably dressed young woman was found lying in a dazed state at Ninetyeighth street and Broadway late last night. As no policeman appeared in the crowd about her, Arthur Bartlett of Seventyseventh street and Broadway, had stopped in his automobile to see what had happened, had her put into his machine and hurried with her to the West

100th street police station. There she said in intervals of hysteria that she had been robbed of her jewelry and of \$47. At one time she mentioned the name of Elder Langley and then said some-thing about being a member of one of Henry W. Savage's companies. She also said that Edward Haimes, living

at the Hargrave, Seventy-second street and Columbus avenue, was a friend of hers. Haimes when seen at his apartments said at he knew no woman answering the surgeon from J. Hood Wright Hospital

d that she had a slight scalp wound. was taken to the hospital. THREE BANKERS INDICTED. They Are Held Under 625 Charges of Re-

ceiving Deposits for an Insolvent Bank. PEKIN, Ill., May 24.-One hundred and twenty-five indictments, each containing five counts, were returned to-day charging D. C. Smith, Sr., Corrad Luppen, E. F. Unland and Henry Block, partners under the name of the Teis Smith & Co. bank, with receiving deposits after the bank was in-

Judge Worthington fixed the bond of each efendant at \$35,000. It was promptly

Teis Smith & Co.'s bank was founded in 1806. It closed on April 2, 1806. The Pekin Plow Company and R & H. Smith & Co., wagon works, controlled by the same interests, owed the bank \$368,000. The depositors of whom there are 4,209, will not receive more than 15 cents on the dollar.

NOTED ANABOMISTS MARRIED.

fimms tratifier Meaning the Wife of Alexander Merkman in Detroit. Durnory, Mich., May 24. Esness Goldsan, the anarchist, is the wife of Alexander

erlement, retenant last week from the Alleghony, Pr., penitentiary after serving fourteen yours for his attempt to gassasinate foney C. Frick.

Honry C. Frick.
When Berkman was released he came to
Detroit. Miss Coldress had preceded him.
She met him at the depot and the greeting
was affectionate, the pair bissing several

As the idea of marriage by forms of law is repugnant to anarchists, these two were united according to their belief at the home of Carl Nold, who served five years

They left Detroit for Chicago, will go rom there to St. Louis and then return to Now York, to make their home.

NOGI DEPENDS GEN. STORSSEL. Jap Commander Bectares He Bld All Poselide to Have Port Arthur

Special Cable Despatch to Tun Stru.

LONDON, May 25.—A despatch to the elegraph from Tokio says that in an interview with Gen. Nogi in reference to the report that Gen, Stoesseljhad been sentenced o donth by a court-martial for surrender ing Port Arthur the General declared that doubted if the report was true, but he was convinced that if it were so Gen. Stoessel would accent the sentence with soldierly

alacrity. Gen. Nogi warmly defended Gen. Stoe against the aftacks that have been made upon his conduct at Port Arthur. He em-phatically declared that he could not have done more in defence of the place. He underwent unimaginable trials and hard-

It is true that there were enough provisions and ammunition to have beyond the time of the surrender, but Gen. Stoessel lacked the whole hearted, loyal cooperation of his officers and men. There vere occasions when both refused to obey

AUTO RAN OVER MISS BURR. Horn Sounded, but She Was Too Frightened

to Get Out of the Way. Miss Nellie Burr, daughter of Harold C. Burr, a broker of 66 Broadway and living at 101 West Seventy-Seventh street, did not see an automobile going north on Riverside Drive last evening when she started to cross at Eighty-eighth street. William Wilkins, who lives at the Gilsey House, the owner and driver of the machine, tooted his horn, but the girl was frightened and couldn't

get out of the way. She was knocked down and a rear wheel of the automobile passed over her. Her back was sprained, she got a cut over the eve and her face was badly bruised. Miss Burr was taken to the J. Hood Wright Hospital.

Mr. Willdns was not arrested, as the police thought the accident was not easily avoid-

HAS AN INSANE MAN ABOARD. iome Say the Vessel Is a Fishing Smack and Others That She Is a Yacht.

ATLANTIC CITY, N. J., May 24 .- A lunatic violent that the crew of the craft refused to bring him ashore in a small boat, and a messenger was sent to the police department asking if they would undertake the task of

landing him. Having no means of complying with the request, the police declined. The messenger refused to giv the name of the essel or her captain, and toward dusk she weighed anchor and headed toward New York. She was reported by the life saving crew to be a fishing smack, others said she hore the appearance of a private yacht.

\$500 TO SLAP A WAITRESS.

Society Woman Pays for Privilege & Pan-

ST. Lburs, Mo., May 24.-It cost Mrs. Nathanson, a society matron, \$500 to slap the face of Miss Helen Inman, a waitress in the dining room of the Fielding Hotel, a jury bringing in a verdict for this amount late this afternoon.

Miss Inman had sued for \$3,000 actual and

\$3,000 punitive damages. Mrs. Nathanson frankly admitted on the stand that she had slapped the waitress, but she gave many incidents that she thought excused her for administering the blow. Mrs. Nathanson scheduled many indignities that she had suffered. She said her son, Rerman, had been deprived of his milk, which the doctor had prescribed; that she and her family were seated in dark corners of the dining room; that other guests had oranges which were denied to her, that she and her family were neglected and that she was subjected to much incon-

ADJUDICATION ON A COCKTAIL Damaged Miss Unlacke's New Spri Costume, but Did Not Ruin It.

Miss. Mary E. Uniacke of Brooklyn was the plaintiff and Fayette Simonson, a Newark restaurant proprietor, was the defendant. The case was tried in Newark yesterday. Miss Uniacke alleged that while she was partaking of dinner at the defendant's place, a waiter stubbed his toe while carrying a glass containing a Manhattan cocktail and spilled the liquid on Miss Uniacke's new spring costume. The plaintiff alleged that the stain could not be removed. Expert garment oleaner substantiated her statement, while the defendant produced several expert bartenders who testified to the harmless character of the ingredients of the drink. The Court ruled that while the cocktail damage the garment it did not cause its total de struction. Hence it gave only \$5 damages to the plaintiff.

Old Shaft Spouts Fire.

For about three minutes last night looked from Park row windows as if Broadway had caught fire in earnest. Some rubbish in a shaft of the old Gerry Building at Warren street, which is being dis-mantled, caught fire and the shaft bom-barded heaven with flames and sparks.

hat made the highball famous. Adv.

THE TRAIN OF THE CENTURY is The Twentleth Century Limited, the 18-hour train between New York and Chicago by the New York Contral Linns. Leave New York 3:20 P. M.,

COMMISSION APTER CASSATT

R. R. GRAFT BUNG LEADENG UP

PO HIGHERP OFFICEALA. talings President's Paully Shown in fron

Favorest Companies - Factor's Brether Tells of Mis Mottlings - A Congression Evening Annuality Some Small treats. PHILADRESPRESS May 34 -- It our no uthoritatively maked that the line of inquiry which the Interstate Commercer Commission is now pushing into the affairs of the Pennsylvania Railroad has for its

purpose discovery whether President A. J.

Camptt is at the head of and is the greatest

identificary of the graft and discrimination

that have been shown to be in vogue in that corporation. Admissions drawn from President Casoutt's assistants and the men element to him have shown that they own hundreds of thousands of dollars worth of stock for

which they paid not a penny. Assistant William A. Patton; who owns \$307,000 of this stock, confessed that President Cassatt knew of his holdings.

Cassatt's chief clerk, Purviance, admitted owning \$38,000 of the same fron wealth. It was understood that Mr. Cassatt was aware of this also.

The questions put to these two men and others were with the definite purpose of tracing the graft stream direct to the head of the Pennsylvania system. There is information in the hands of the commission that the so called Cassatt coaf companies, the Berwind-White and the Keystone, are largely the property of the Cassatt family. The testimony concerning the favoritism toward these concerns is being brought out for the same purpose, as is the testimony as to graft stock. It is not likely that Mr. Cassatt will be called before the commis-

Graft, from the petty kind, the acceptance of one, five, ten and twenty dollar bills by an assistant trainmaster of the Pennsylvania Railroad to the acquiring of \$67,000 of coal stocks without the expenditure of money by a brother of Assistant William A. Patton, who himself acquired \$307,000 of stocks in the same manner, was revealed

at to-day's meeting of the commissi Those were the extremes of to-day's graft disclosures. But the paying by operators of \$20 or more apiece for cars, the lending of \$100 to train dispatchers, who after five years have neglected to pay even the principal or interest, were other manifesta-

tions of the system. Much more eloquent was evidence telling of the effect of this passing of stock, money and other presents among employees and the close family ties between high officials and mine plomoters; evidence which showed how independent operators or those who failed judiciously to make presents were forced to sell their mine ownings to others who were in harmony with the customs of

the railroad. The names Cassatt; Berwind-White and Keystone Coal and Coke Company were constantly intermixed with the revelations

concerning discrimination. forth during the examination of John Lloyd, banker, mine promoter and member of the banking firm of J. Gardner Cassatt & Co., of which J. G. Cassatt, President Cassatt's brother, is senior partner and Mr.

Lloyd is junior. Frankly avowing that he bought large blocks of stock of mining companies in which he was interested, and either gave it outright to railroad employees or held it for them in his own name for no reason but that he considered it good business to stand in with railroad employees who had influence, Mr. Lloyd swept aside the pitiful attempts of the railroad men to justify

their holdings of free coal stocks. Reluctantly he half admitted that his own coal companies had been caught in the wheels which he had cogged so often for others, and that he was being frozen out of the field by the Berwind-White company,

the chief friend of the railroads. The genius of Mr. Lloyd was shown in his account of the profits made by the Columbia Coal Company, in which many railroad men are interested. Only 10 per cent. of the capital stock was paid in, yet under his financiering and the railroad's help this company paid in ten years dividends amounting to 109 per cent. upon the capital stock and placed 56 2-3 per cent. in the treasury on account of payments upon stock, or, in other words, paid 165 2-8 per cent. upon the capital stock. Upon the actual money invested it paid ten times this, or 1656 2-8 per cent. in ten years, or at the rate of 165 2-3 per cent, profits a year. J. Howard Patton, brother of William

A. Patton, assistant to President Cassatt, was a witness who occupied the stand for a long ime to-day, the length of his examination being due to his manner of answering questions. From his testimony it was learned that

ne was station master for the Pennsylvania Railroad at Greensburg, Pa., and that he was bonded for the faithful performance of the duties of his position. He could not tell clearly what his duties were. He said he paid the salary for the position to the man who did the actual work. While confessing that he had influence in the distribution of coal cars, he admitted that at the same time he was superintendent of the Claridge Mining Company, which was constantly demanding cars.

"Have you anything to do with the distribution of cars at Claridge?" asked Mr. Glasgow. "No, I have not," replied the witness; but he later admitted that he was responsible for the handling of the cars and in a way supervised their distribu-

"What is your connection with the Keystone Coal and Coke Company?" "I acted as superintendent."

"Now, as agent at Claridge and as super-

ntendent of the Keystone Company, how do you proceed to get your cars for the shipment of coal?" "I ask the agent at Claridge: that is the man who actually does the work." "Do you give the order as the agent in charge or as superintendent of the Key-stone Company? "As the superintendent

of the Keystone Coal Company. How do you know that?" asked Mr.

Summer Days in Wonderland.
Yellowstone Park Is most delightful under July
skies. Pennsylvania Raliroad Tour, covering complete trip 'round the Park, leaves July 3 \$227
covers accessary expenses from New York. Special
Pullman Train, personally conducted, a most
attractive Summer 'Juting, returning it Salt Lake
City, Colorado Springs and Denver.